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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMERICANS FOR PROSPERITY,

Plaintiff,

v.

GURBIR GREWAL, in his official capacity as Attorney General of New Jersey, **ERIC H. JASO**, in his official capacity as Chairperson of the New Jersey Election Law Enforcement Commission, **STEPHEN M.**

HOLDEN, in his official capacity as Commissioner of the New Jersey Election Law Enforcement Commission, and **MARGUERITE T. SIMON**, in her official capacity as Commissioner of the New Jersey Election Law Enforcement Commission,

Defendants.

Civil Action No. 19-cv-14228

CONSENT ORDER

THIS MATTER having been brought before the Court by agreement of Derek L. Shaffer, Esq., counsel for Plaintiff Americans for Prosperity (“AFP”), and Gurbir S. Grewal, Attorney General of New Jersey, by Stuart M. Feinblatt, Assistant Attorney General, counsel for Defendants Gurbir Grewal, in his official capacity as Attorney General of New Jersey, Eric H. Jaso, in his official capacity as Chairperson of the New Jersey Election Law Enforcement Commission, Stephen M. Holden, in his official capacity as Commissioner of the New Jersey Election Law Enforcement Commission, and Marguerite T. Simon, in her official capacity as Commissioner of the New Jersey Election Law Enforcement Commission (“ELEC”) (together, “Defendants”); and it appearing by the signatures affixed below that the parties agree; and for good cause shown; and

WHEREAS on June 25, 2019, AFP filed a Complaint and Motion for Preliminary Injunction against Defendants, challenging the constitutionality of the P.L. 2019, c. 124 (“the Act”) on its face and as applied, including on the grounds that the Act is overly broad in its description of the independent expenditure committees subject to its requirements; and

WHEREAS on September 10, 2019, the American Civil Liberties Union of New Jersey and the American Civil Liberties Union, Inc. (together, “ACLU Plaintiffs”), filed a Complaint against the same Defendants in the United States District Court, District of New Jersey, Docket No. 3:19-cv-17807-BRM-LHG, raising similar challenges to the Act as those raised by AFP, but also specifically challenging the Act’s provisions relating to the leadership and management of independent expenditure committees; and

WHEREAS on September 12, 2019, the Illinois Opportunity Project (“IOP”) filed a Complaint and Motion for Preliminary Injunction against Defendants Jaso, Holden, and Simon in the United States District Court, District of New Jersey, Docket No. 3:19-cv-17912-BRM-LHG, raising similar challenges to the Act as those raised by AFP, but also specifically challenging the Act’s provisions relating to sponsor registration, disclosure and disclaimer requirements for independent expenditure committees; and

WHEREAS the AFP, ACLU Plaintiffs, and IOP cases have been designated as related; and

WHEREAS on October 2, 2019, the Court issued an Opinion and Order granting AFP’s Motion for Preliminary Injunction; and

WHEREAS to avoid unnecessary litigation and expense, the parties hereto have agreed to allow Defendants approximately fifty days, through and including December 20, 2019, to evaluate their legal position in this matter;

THEREFORE, IT IS on this 8th day of November 2019,

ORDERED that:

1. All deadlines in this matter are held in abeyance pending further order of the Court; and
2. Defendants shall submit a status report to the Court, on or before December 20, 2019, with a proposed schedule on how this matter should proceed.


HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE

We hereby consent to the form, content, and entry of this Order.

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Stuart M. Feinblatt
Stuart M. Feinblatt
Assistant Attorney General
Attorney for Defendants

DATED: 11/7/2019

By: /s/ Derek L. Shaffer
Derek L. Shaffer, Esq.
Attorney for Plaintiff
Americans for Prosperity

DATED: 11/7/2019